

# Montana State Library



*This "cover" page added by the Internet Archive for formatting purposes*



THE

## INTERIM

A REPORT OF INTERIM ACTIVITY . . . MONTANA LEGISLATIVE COUNCIL . . . HELENA

MAY 1980

PLEASE RETURN

VOL. II, NO. 12

LEGISLATIVE COUNCIL

MEETING  
APRIL 19

STATE DOCUMENTS COLLECTION

MAY 5 1980

MONTANA STATE LIBRARY  
930 E Lyndale Ave.  
Helena, Montana 59601

NO-SHOW POLICY

At its April 19 meeting, the Legislative Council approved a contract with the Council of State Governments, Interstate Consulting Program, for a study of the Legislature's and Legislative Council's staffing systems and administrative operations, with special emphasis on legislative printing.

The CSG consulting team of five will arrive in Helena May 12 to begin the project. The team will be conducting extensive interviews with selected rank and file legislators. Your candid views will be vital to the success of the study.

The Council also adopted a policy that may affect members of interim study committees as well as members of CSG, NCSL, and other groups reimbursed out of appropriations made to the Legislative Council. That policy is that individual legislators will be responsible for any billing associated with reservations made and for which they are responsible when they do not attend a meeting. If you make a confirmed reservation, be sure to cancel if you cannot attend a meeting.

## ANNEXATION

PUBLIC HEARING  
APRIL 26

The Study Committee on Annexation held a public hearing in Missoula on Saturday, April 26, to consider its discussion proposals and other problems related to annexation. The hearing generated extensive and sometimes heated discussion on problems relating to annexation and urban growth in Missoula. Following review of the testimony taken in Missoula, the Committee plans to begin formulating final recommendations and legislation for presentation to the 1981 Legislature. The Committee plans to meet in Helena in mid to late June.

# INTERIM

CORRECTIONS

JUNE 20

The Interim Study Committee on Corrections Policy and Facility Needs will meet on June 20. They

will discuss the following: 1) the Department of Institutions will have a written record, 2) permit the prosecution the right to appeal a sentence, 3) allow fines for felony offenses, and 4) increase the length of time a sentence can be deferred from 3 years to 5 years. They will receive information from the Department of Institutions on 1) the good-time allowance system, 2) the probation and parole system, and 3) the Department's plan for both female offenders and "disturbed" offenders. The Committee will then resume consideration of the following bills:

LC 49 - increased penalty for sexual intercourse without consent;

LC 51 - increased time served before parole eligibility; and

LC 52 - decrease in good-time allowance.

The Committee will also be meeting with the Montana Association of Judges to discuss the Committee's proposals to revise the sentencing laws.

## BRANCHING OF FINANCIAL INSTITUTIONS

MEETING APRIL 14

The Study Committee on the Branching of Financial Institutions met April 14. The Committee heard representatives of the research department of the Federal Reserve Bank in Minneapolis present their case supporting the concept of branch banking in Montana. The Montana Bankers' Association presented a position paper developed by the Association's task force on branching, which indicated the general philosophical opposition to branch banking among the majority of the members of the Montana banking community. The position paper provided guidelines for the extension of the bank facility law, should that be found desirable. Representatives of independent bankers reiterated their concerns with the concept of branching, while others outlined potential advantages of allowing branching. The Committee will consider the testimony and meet to consider alternative choices, tentatively in June.

## STATE-OWNED PROPERTY/STATE MANDATES

MEETING APRIL 19      The Committee on State Mandates and the Effects of State-Owned Property on Local Jurisdictions met April 19 in Helena.

STATE MANDATES  
REPORTS      Staff reports were presented on the following state mandates:

Medical assistance to the indigent; publication of county board proceedings; county costs of youth probation officer and public defender programs; local courts' obligation to pay for the state driver education and crime victims' compensation programs; requirement that cities pay all health and medical insurance premiums for firefighters and police officers; and problems associated with compensatory time for city employees.

The Committee heard public comments on the various mandates and discussed alternatives to these concerns.

STATE PAYMENTS-  
IN-LIEU OF TAXES      The Committee also reviewed a report on current state payments in lieu of taxes to the counties. At present, the state reimburses the counties for having school trust lands and Fish, Wildlife, and Parks property. The adequacy of these policies was discussed by the Committee.

ECONOMIC IMPACT  
STUDY      The Committee had determined at a previous meeting that a study of the economic impact of state facilities on communities was important to the issue of state-owned property in general. The Committee moved to engage a consultant to assist in developing the desired information.

The staff also reported on the survey instrument that has been sent to 15 selected jurisdictions to determine the costs of state facilities to local governments. The results of this survey will be presented at the next Committee meeting.

NEXT MEETING  
JULY 19      The next meeting of the Committee will be Saturday, July 19, at the State Capitol.

## ENERGY FORECASTING

MET APRIL 3      The Study Committee on Energy Forecasting met Thursday, April 3, in Helena to continue its evaluation of the adequacy of existing energy forecasts

and the need for the state to develop an independent forecasting capability. Following a presentation by Don Hoffard of the Bonneville Power Administration on the costs/benefits of over/under forecasting for electric power system planning, the Committee reviewed a progress report of their work to date and evaluation of federal and state statutes having an impact on the need for energy forecasting. Committee members voted down a motion to develop an independent state forecasting program. Instead, the Committee asked the Department of Natural Resources and Conservation and the Department of Public Service Regulation to present at their next meeting an estimate of the staffing, funding, and other needs for a program to evaluate existing forecasts and to gather data where those forecasts were inadequate. The Committee plans to meet again in late May or mid-June.

#### RETIREMENT SYSTEMS

##### MEETING APRIL 9

The Study Committee on Retirement Systems met April 9 to hear the state's principal retirement administrators present their recommended formulae for the adjustment of retirement benefits to aid retirees in coping with the effects of inflation. The Committee also heard the concerns of retired public employee groups and individuals. The Committee voted to approve the retention of an actuary to assist the members in evaluating the costs of any recommended adjustment in benefits that might develop out of the Committee work.

#### INDIAN AFFAIRS

##### MEETING APRIL 18

The Select Committee on Indian Affairs held its last meeting on April 18, 1980. At this meeting, the Committee unanimously approved a bill to authorize public agencies to enter into agreements with the Indian tribes. The Montana Inter-Tribal Policy Board endorsed the bill.

##### LOCAL HEARINGS IN JUNE

The Committee will be holding public hearings on or near each reservation to discuss the bill. All interested persons are invited to attend. The hearings will be held in approximately mid-June, 1980. For further information on the hearings, contact the Legislative Council. Legislators may anticipate receiving notice from Legislative Council staff of meetings to be held in their area.

The Committee further recommended that a bill be drafted to create a permanent legislative Indian committee. This subject will be discussed at the public hearings.

NCSL COMMISSION  
TO MEET IN HELENA

The NCSL Commission on State-Tribal Relations will be conducting a hearing on intergovernmental co-operation and environmental, natural resources, and wildlife management. Specific topics on the agenda include: wildlife management, water quality planning, air quality control, land use planning, natural resources development, and the federal role in regulating natural resources. The hearing will be located in Helena at the State Capitol, Room 104, on May 28 and 29, 1980.

REVENUE OVERSIGHT

NEXT MEETING  
MAY 10

The Revenue Oversight committee's next meeting will be held in Room 104 of the Capitol, Helena, on Saturday, May 10, 1980, beginning at 9:30 A.M. The Committee will discuss draft bills on Montana's Greenbelt law, the liquor license quota system, and allowing the Department of Revenue to abate interest on tax delinquencies for good cause. The Committee will also consider reports on the procedural law for tax appeals, revising the current method of assessing agricultural land, and eliminating inheritance taxation for children.

COAL TAX OVERSIGHT

MEETING MAY 17

The next meeting of the Coal Tax Oversight Subcommittee will be held in Helena in Room 104 of the State Capitol on Saturday, May 17, 1980. The meeting will begin at 10:00 A.M.

BELDEN DANIELS  
TO MEET WITH  
COMMITTEE

Professor Belden Daniels has been invited to talk to the Subcommittee on the long-term investment of mineral resource tax funds. Belden Daniels is a lawyer and former international banker who teaches Development Finance at Harvard University and is engaged in research and writing about the role of capital in the development process. Professor Daniels is a consultant on mineral resource tax fund investments with several states, the province of Alberta, and Indonesia.

SPECIAL  
INVITATION

The Subcommittee encourages all interested legislators to attend the May 17 meeting.



## LEGISLATIVE AUDIT COMMITTEE

MEETING The Legislative Audit Committee will meet May 12 and 13, 1980, in Room 104 of the State Capitol.

SUNSET Sunset hearings will be held on the following: Board of Osteopaths, Board of Speech Pathologists and Audiologists, Board of Hearing Aid Dispensers, and Board of Psychologists.

REPORTS TO BE ISSUED The Committee will receive and review the following financial/compliance audit reports: Department of Justice, Department of Agriculture, State Library Commission\*, and the Montana Arts Council\*. (\*Audits conducted by Certified Public Accountant firms.)

PROGRAM AUDIT The program report on the Department of Administration, Purchasing Division, will be reviewed by the Committee.

REPORTS AVAILABLE Copies of all reports are available from the Office of the Legislative Auditor, Room 135, State Capitol, telephone 499-3122.

## ENVIRONMENTAL QUALITY COUNCIL

MEETING APRIL 24 The Environmental Quality Council met Thursday, April 24, and considered a complaint against the Montana Board of Oil and Gas Conservation. The Council addressed presentations concerning the complaint and discussed compliance with Board regulations. The Council called for on-site inspection of the problem and attendance at the Board hearing in Billings on May 1.

Presentations of ongoing work were addressed, including small scale hydro and geothermal, HJR 21, HJR 60, rerefined oil, open-cut mining, gasohol permits, uranium mining methods, plans for Capitol building remodeling, and resource taxation-investment strategies.

The Montana Livestock Cooperative asked for EQC assistance in the identification of problems associated with the development of an industrial park. The park may include slaughter facilities, food processing plant, commercial feedlot, and alcohol fuel plant.

EQC's next meeting will be scheduled for a date in June.



LEGISLATIVE INTERIM CALENDAR

MONTH  
MAY

SATURDAY

FRIDAY

THURSDAY

WEDNESDAY

TUESDAY

MONDAY

SUNDAY

					1	2	3
4	5	6	7	8	9	10 REVENUE OVERSIGHT Rm. 104 9:30 am	
11	12 LEGISLATIVE AUDIT COMMITTEE Rm. 104 9:00 am	13 LEGISLATIVE AUDIT COMMITTEE Rm. 104 9:00 am	14	15	16	17 COAL TAX OVERSIGHT Rm. 104 10:00 am	
18	19	20	21	22	23	24	
25	26	27	28	29	30		

## LEGISLATIVE INTERIM CALENDAR

MONTH

JUNE

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

SUNDAY

MONDAY

1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20 CORRECTIONS POLICY AND FACILITY NEEDS Rm. 139 9:00 am	21
22	23	24	25	26	27	28
29	30					



"300 copies of this public document were published at an estimated cost of \$0.25 per copy, for a total cost of \$73.60, which included \$51.10 for printing and \$22.50 for distribution."



